

ABRAMS FENSTERMAN

Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone, LLP

Attorneys at Law
www.abramslaw.com

Seth L. Berman, Esq.
Partner
Lake Success Office
Direct line: 516-368-9467
Email: sberman@abramslaw.com

3 Dakota Drive, - Suite 300
Lake Success, New York 11042
Phone: 516-328-2300
Fax: 516-328-6638
Fax Not For Legal Services

FIRM OFFICES

Brooklyn
New York
Rochester

March 17, 2020

VIA: ECF

Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *BMG Production Music, Inc. v. Hilton Worldwide Holdings Inc., et al.*
Civil Action No.: 1:19-cv-05992-PAE

Dear Judge Engelmayer:

In accordance with Section 1(E) of your Individual Rules and Practices in Civil Cases, Plaintiff, BMG Production Music, Inc., (“BMG”) respectfully submits this letter motion, on consent of counsel for Defendants Hilton Worldwide Holdings Inc., et al., (“the Hilton Defendants” or “Hilton”) seeking adjournment of certain dates in the Civil Case Management Plan and Scheduling Order (ECF No. 30, enclosed herewith for reference). A mutually-agreed upon proposed amended scheduling order is also enclosed, with proposed dates underlined.

Given the rapid development of coronavirus-related restrictions and travel risks, the parties seek adjournment of certain dates in the current scheduling order. The next upcoming deadline, April 10, 2020, is the date by which depositions are to be completed. Conducting the depositions will involve witnesses and counsel having to travel to or from Virginia, New York, and California, the latter two states being among the hardest-hit and highest risk states.

The proposed amended scheduling order extends certain current civil case management plan and scheduling order dates and deadlines by approximately forty-five (45) days. Some of the dates will remain unchanged as deadlines for issuing new discovery requests have expired, and the parties do not seek to extend those dates. Within the time frame of the requested adjournment, it is anticipated that counsel and witnesses will gain a better understanding of how long coronavirus-related restrictions are going to last, and if the restrictions are still in place, what alternative options are available to us for completion of discovery. This is the parties’ second request for an extension of time, the first request (ECF No. 26) having been granted (ECF No. 27).

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Respectfully,

/s/ Seth L. Berman

Seth L. Berman, Esq.

Enclosures

cc: Brad R. Newberg, Esq. (via: ECF)
Claire Hagan Eller, Esq. (via: ECF)